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U.S. Department of Justice

*United States Attorney
 Southern District of New York*

86 Chambers Street
 New York, New York 10007

April 8, 2021

VIA ECF

Hon. Stewart D. Aaron
 United States Magistrate Judge
 United States District Court
 500 Pearl Street
 New York, New York 10007

Application GRANTED. The government shall respond to the Complaint no later than May 11, 2021. The Initial Pretrial Conference currently scheduled for April 22, 2021 is adjourned until Thursday, May 20, 2021 at 11:00 a.m. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745. SO ORDERED.

Dated: April 8, 2021

Att C A

Re: Yao, et al. v. Cuccinelli, et al., No. 20 Civ. 7315 (GBD) (SDA)

Dear Judge Aaron:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Applications to Register Permanent Residence or to Adjust Status (Forms I-485) and Refugee/Asylee Relative Petition (Form I-730). An initial conference in this matter is scheduled for April 22, 2021. *See* ECF No. 18. On behalf of the government, I write respectfully to request an on-consent extension of time of approximately one month to respond to the complaint (*i.e.*, from April 9 to May 11, 2021) and a corresponding adjournment of the conference to a date at least one week after the government’s response to the complaint would be due (*i.e.*, on or after May 18, 2021).

The extension is respectfully requested because USCIS interviewed plaintiffs on February 9, 2021, and, on March 2, 2021, approved the Forms I-485 and issued a Notice of Intent to Deny (“NOID”) the Form I-730, which allows the plaintiffs to submit evidence in opposition to USCIS’s intended grounds for denial. Plaintiffs’ counsel has recently responded to the NOID and USCIS is considering that response. The government anticipates that the requested extension will provide adequate time for USCIS to consider the response and take further action. This is the government’s second request to extend its deadline to respond to the complaint and adjourn the initial conference.¹ Plaintiffs’ counsel consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

AUDREY STRAUSS
 United States Attorney

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cc: Counsel of record (via ECF)

¹ On February 2, 2021, the government requested an extension of its time to respond to the complaint and adjournment of the initial conference in light of the February 9 interview. *See* ECF No. 17. The Court granted that request. *See* ECF No. 18.